IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4583 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

PRAVINCHANDRA JAMNADAS JOSHI

Versus

GUJARAT ELECTRICITY BOARD

Appearance:

MR HJ NANAVATI for Petitioner

MR SP HASURKAR for Respondent No. 1

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 27/06/2001

ORAL JUDGEMENT

#. Rule. Mr.Hasurkar waives service of rule for the respondents. In the facts and circumstances of the case, the matter is taken up for final hearing today.

#. I have heard Mr.Nanavati, learned advocate for the petitioner and Mr.Hasurkar, learned advocate for the respondents.

#. This petition is filed at the stage where the departmental inquiry is going on and no final order is passed. The petitioner has not replied even the second show cause notice. Mr.Nanavati states that the petitioner even has not received the second show cause notice. Mr.Nanavati states that as and when the second show cause notice will be received, the same will be replied.

#. Under these circumstances, this petition cannot be entertained at this stage and the same is required to be dismissed and accordingly this petition stands dismissed. If any adverse order is passed against the petitioner, the same may not be implemented for a week from the date of passing the said order so that the petitioner if so desires, may file an appeal or take appropriate proceedings before the appropriate forum. It is clarified that the aforesaid interim protection granted by this court, in future if the question of granting interim relief comes before the authority, may not be taken into consideration and the authority concerned may have to decide the said question on its own in accordance with law.

(P.B.Majmudar,J)

(pathan)